

### Zoning Amendment Application

#### **Submitted to:**

Jefferson County Planning Department PO Box H Boulder, Mt 59632

#### **Prepared for:**

Mountain View Meadows, LLC Attn: Mark Runkle 431 South Alice Street Helena, MT 59601

**November 2021** 

#### Prepared by:



#### **Engineers and Land Surveyors**

3530 Centennial Drive Helena, MT 59601 (406) 442-8594 www.seaeng.com

#### **MOUNTAIN VIEW MEADOWS**

#### **ZONING AMENDMENT APPLICATION**

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3530 Centennial Drive, Helena, MT 59601 | phone: 406-442-8594 851 Bridger Drive, Suite 1, Bozeman, MT 59715 | phone: 406-522-8594 2223 Montana Avenue, Suite 201, Billings, MT 59101 | phone: 406-601-4055

www.seaeng.com

November 1, 2021

LaDana Hintz, Planner Jefferson County Planning Department PO Box H Boulder, MT 59632

**RE:** Zoning Amendment Application

Stahly Engineering Project No. 1706-04821

Dear Ms. Hintz:

Mountain View Meadows is requesting a zoning amendment of the subject property from Basic Resource to Residential/Commercial Mix. Mountain View Meadows is proposing to develop their property for single-family residential housing. The proposed zoning amendment will allow varying lot sizing consistent with the existing intermixed residential and commercial business zoning, in the immediate area.

Please find enclosed the Zoning Amendment Application and supporting information for the subject project, for your review and approval.

The \$150 Jefferson County Application Fee will be provided by the owner.

Please feel free to call me at (406) 442-8594 if you have any questions or need any additional information, thanks in advance for your prompt attention.

Sincerely,

STAHLY ENGINEERING & ASSOCIATES, INC.

Greg Wirth, P.E. Senior Engineer

Cc: Mark Runkle (Mountain View Meadows)

## **APPLICATION**



#### JEFFERSON COUNTY PLANNING DEPARTMENT Courthouse Annex East (114 S. Washington Street) PO Box H Boulder, MT 59632 (406) 225-4040

#### APPLICATION AND PROCEDURES FOR ZONING AMENDMENTS

#### Zoning Regulation may be amended in two ways:

- A. **Zone Text Amendments (ZTA)** change the text of a zoning regulation.
- B. **Zone Map Amendments (ZMA)** change the zoning classification of an existing parcel.

#### **Review Procedure:**

- **1.** Application packet is submitted to Planning Department, to include:
  - **Application Form.** Submit a completed Zoning Regulation Text and Map Amendment Application form, completing the "text amendment" and/or "zone map amendment" sections as appropriate.

Completed Zone Map Amendment Application Form is provided

• Evaluation Criteria. Submit a written explanation, along with any supporting documentation, demonstrating that the proposed change meets each of the applicable Evaluation Criteria discussed on the attached handout.

Written explanation demonstrating that the proposed Zone Map Amendment meets each Evaluation Criteria for Amendments to Zoning Regulations is provided.

• For Proposed Zone Text Amendment (ZTA): Submit a detailed written explanation of the proposed changes, including section references. The amended text should be presented with deletions of any existing text shown as strikethrough, and new or additional text shown as underline.

No Zone Text Amendments are proposed.

• For Proposed Zone Map Amendment (ZMA). Submit a map, drawn to scale, adequate and legible, showing the property proposed for re-zoning and all other surrounding property within a 300-foot radius.

Property Map showing property and surrounding property is provided.

**Fee.** Refer to the Planning Department for current fee schedule.

\$150.00 Review Fee provided (Check No. 3263)

- **2.** The Planning Department determines whether the application packet is complete.
- **3.** The Planning Department distributes copies of the application packet to appropriate County departments and State agencies for review and comment.
- **4.** The Planning Department schedules public hearings.
  - Planning Board
  - County Commissioners
- **5.** The Planning Department publishes notice in appropriate newspaper(s) and sends notice (by certified mail) to the owners of property adjacent to the subject property. The Planning Department will also post notices in at least five (5) public places within the district, including adjacent to the affected location.
- **6.** The Planning Department analyzes the application materials and any comments received from other departments and agencies. The Planning Department prepares a staff report that evaluates the proposal, which is submitted to the Jefferson County Planning Board.
- **7.** In the public hearing, the Planning Board considers the staff report and public comments. The Planning Board develops a recommendation which is forwarded to the County Commission.
- **8.** In a public hearing, the County Commission considers the Planning Board's recommendation, along with the staff report and public comments. The County Commission votes on whether to approve or deny the proposed amendment.
- **10.** Approval of an amendment by the County Commission must be done through the passage of a Resolution of Intent to amend the zoning regulations.
- 11. Passage of the Resolution of Intent must be noticed once a week for 2 weeks in a newspaper of general circulation within the County. For 30 days after publication of the first notice, the board of county commissioners will receive written protests to the amendment of the zoning regulations per the requirements of 76-2-205, MCA. If the protest is successful, the County Commissioners may not adopt the resolution in question and further zoning resolutions may not be proposed for the district for a period of 1 year.

#### **Jefferson County**

#### **Zoning Regulation Text and Map Amendment Application Form**

Applicant(s): Mountain View Meadows (Mark Runkle)
Address: 431 South Alice Street, Helena, MT 59601
Phone: 406-431-7305
Email: markrunkle@hotmail.com
Property Owner(s): R & D Partners, LLC (Mark Runkle)
Address: PO Box 850, Saint Paris, OH 43072
Phone: 406-431-7305
Email: markrunkle@hotmail.com
Agent/Representative(s): Stahly Engineering (Greg Wirth)
Address: <u>3530 Centennial Drive</u> , Helena, MT 59601
Phone: 406-442-8594
Email: _gwirth@seaeng.com
Zoning district in question: Northern Jefferson County

#### **Required Information for Zoning Regulation Text Amendments:**

Please check with the Planning Department for the correct number of copies of the application materials.

1. Statement and supporting documentation addressing all Zoning Amendment Evaluation criteria, as discussed in this application form.

This Zoning Map Amendment application includes statements addressing all Zoning Amendment Evaluation Criteria, map showing property proposed for a zoning map amendment and supporting information.

2. Proposed modification of the zoning regulation text, including section and page numbers.

No modification to zoning regulation text is proposed.

#### **Required Information for All Zoning Amendments:**

- 1. General description of property: Property is located one (1) mile south of East Helena and two (2) miles north of Montana City, east of Highway 282 and west of Highway 518, Prickly pear Creek and the Burlington Northern Railway. The north boundary of the property coincides with the common Lewis and Clary County and Jefferson County line. The property is approximately 418 acres in size with native grass and conifer vegetation, the ground slopes approximately 5-20% to the east. Holmes Gulch, an intermittent drainage bisects the property from west to east, and contains mine tailings.
- 2. Legal description of property: Tract D2A-1 as shown on Certificate of Survey No. 277532; AND T9N, R3W, P.M.M: S1/2 NW1/4; N1/2 SW1/4; N1/2 SE1/4 SW1/4; South 875 feet of that part of the S1/2 NE1/4 lying westerly of the East Branch of Prickley Pear Creek; SE1/4 lying westerly of the East Branch of Prickley Pear Creek, EXCEPTING THEREFROM that portion of the NE1/4 SE1/4 and that portion of the South 875 feet of that part of the S1/2 NE1/4 lying easterly of the Great Northern Railroad right-of-way. (Ref: Deeds 126, p. 289, EXCEPTING THEREFROM a tract of land described by Certificate of Survey No. 169985, Folio 441D and conveyed by Deeds 133, p. 123.)
- 3. Geo-Code: 51-1785-01-2-01-01-0000
- 4. Current zoning designation: <u>Basic Resource</u>
- 5. Current use: Agricultural Grazing
- 6. Proposed zoning designation: Residential/Commercial Mixed Use
- 7. Proposed use: <u>Development of single-family residential housing and potential, supportive commercial uses.</u>
- 8. Covenants or deed restrictions on property? Yes X No If **yes**, attach a copy.
- 9. Application fee (\$150.00). (checks payable to Jefferson County)
- 10. Required attachments:
  - a. Statement and supporting documentation addressing all Zoning Amendment Evaluation Criteria, as found under 76-2-203, MCA
  - b. Application fees. (check payable to Jefferson County)

I hereby certify that the information on and attached to this application is true and correct.

I understand the fees for this application are not refundable.

Mah L Ruhle

Applicant's signature

Date

Mah L Ruhle

11/1/2021

Property owner's signature

Date

## **EVALUATION**

#### **Jefferson County**

#### **Evaluation Criteria for Amendments to Zoning Regulations**

In reviewing proposed amendments to zoning regulations, the Planning Board and County Commission will consider the following evaluation criteria. Written responses, and supporting documentation where necessary, must be provided for each of the criteria listed below.

Applications will not be considered complete by the Planning Department without responses to all of the criteria.

- **1. General Criteria.** To provide general information about the proposed amendment, the following questions must be addressed:
- **a.** How will the proposed amendment serve the public interest?

The proposed amendment will allow northern Jefferson County to provide greatly needed residential housing in the immediate area for the expanding population centers in southern Lewis and Clark County. Residential development will contribute increased tax base for Jefferson County with current, underutilized property.

**b.** Are there any reasons that prevent use of the property for any of the uses currently allowed under the existing zoning?

Current Basic Resource zoning allows a permitted use for private single-family dwellings, on minimum lot size of 160 acres. The proposed project is to have single-family dwellings on varying lot sizes to conform to the site terrain and sanitary requirements.

**c.** Describe the need/demand for the intended use of the property at this location?

Residential housing demand has greatly increased with increased population growth in the greater Helena market. As a general trend, increasing jobs and related prospective homeowners are employed within the City of Helena, and therefore are seeking homes within proximity of Helena. The project is in direct response of the need for housing within proximity of the population centers of southern Lewis and Clark County.

- 2. Statutory Criteria and Guidelines for Zoning Regulations (§ 76-2-203 MCA).
- **a.** Zoning regulations must be made in accordance with the Growth Policy.

The rezoning of the subject property would allow for a denser residential development within adjoining residential development and within proximity of Montana City and the population centers of southern Lewis and Clark County. The proposed project conforms with the Jefferson County Growth Policy, by encouraging cluster development close to urban centers, and minimizing many costs of community services.

- **b.** Zoning regulations must be designed to:
  - i. secure safety from fire and other dangers;
  - ii. promote public health, public safety, and general welfare; and
  - iii. facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements.

Rezoning of the subject property to Residential/Commercial Mixed Use will allow for primarily single-family homes on varying lot sizes with potential, supportive commercial development, with multiple access points for subdivision ingress/egress. Promotion of public health and safety will be provided by development occurring in immediate proximity to existing development and local urban centers. Roadways would be designed to accommodate traffic capacity and allow for adequate health and safety emergency service vehicle access. The subject property is located within the Montana City Fire District, generally located approximately 2.5 miles northeast of Montana City Fire Station 1. The rezoned development will provide adequate water and sewage system as required by DEQ and the local subdivision regulations. Parks are provided within the immediate vicinity of the proposed project by recent acquisition along Prickly Pear Creek by the Prickly Pear Land Trust.

- **c.** In the adoption of zoning regulations, the County Commission shall consider:
  - i. reasonable provision of adequate light and air;
  - ii. the effect on motorized and non-motorized transportation systems;
  - iii. compatible urban growth in the vicinity of cities and towns that at a minimum must include the areas around municipalities;
  - iv. the character of the district and its peculiar suitability for particular uses; and
  - v. conserving the value of buildings and encouraging the most appropriate use of land throughout the jurisdictional area.

Rezoning of the subject property to Residential/Commercial Mixed Use, will provide a reasonable provision of adequate light and air by utilizing varying lot sizing for single-family residential development conforming to the existing terrain which will inhibit high density development. Property development and access roadways would be developed to accommodate various modes of pedestrian and vehicular traffic. The property and proposed development is compatible with urban growth in the immediate vicinities of the population centers in southern Lewis and Clark County. The rezoned development would work to mimic the existing rural developments in the immediate vicinity and suit the existing terrain. Rezoning and allowance of single-family residential use on varying lot sizes provides a more appropriate use due to the immediate proximity of the property to existing residential development and adjacent to property that is currently annexed by the City of East Helena.

**d.** Zoning regulations must, as nearly as possible, be made compatible with zoning ordinances of nearby municipalities.

The requested rezoning is compatible and consistent with the existing intermixed residential and commercial business zoning, in the immediate area. Residential usage within Jefferson County is located immediately to the west and east of the project. Residential development is located directly north of the proposed project within Mountain View Meadows in the City of Helena. The property to the north, annexed into the City of East Helena has been zoned industrial for holding purposes and due to the size of industrial zoned property in East Helena, is not anticipated to serve industrial use.

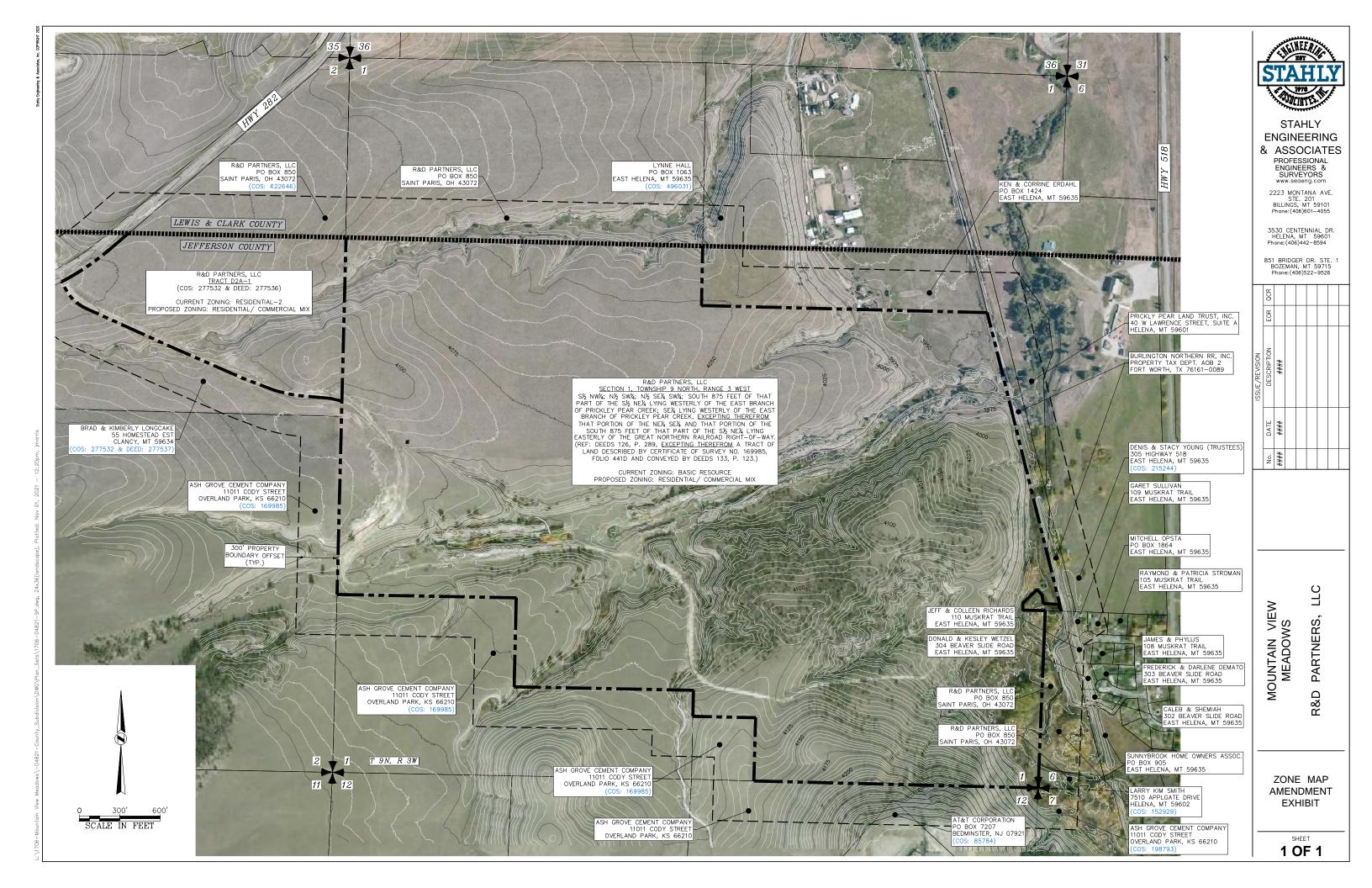
- **3. Zoning Regulation Criteria**. Amendments to the zoning regulation or official zoning map must be consistent with each of the following provisions found in the zoning regulation:
- **a.** The overall purpose and intent of the zoning regulation as found in Section 1.2 of the regulations.

The proposed zoning map amendment and project to allow varying lot sizing with an existing allowable use will continue to be consistent with the zoning regulation's purpose and intent, promoting health & safety and general welfare of the community & surrounding areas. The proposed amendment will continue to promote protection of property, conservation of the county's natural resources, and adherence to the County Growth Policy, specifically by providing development in proximity to existing population centers, which will minimize the needs for public services and preserve the county's natural open space setting so highly revered in Jefferson County.

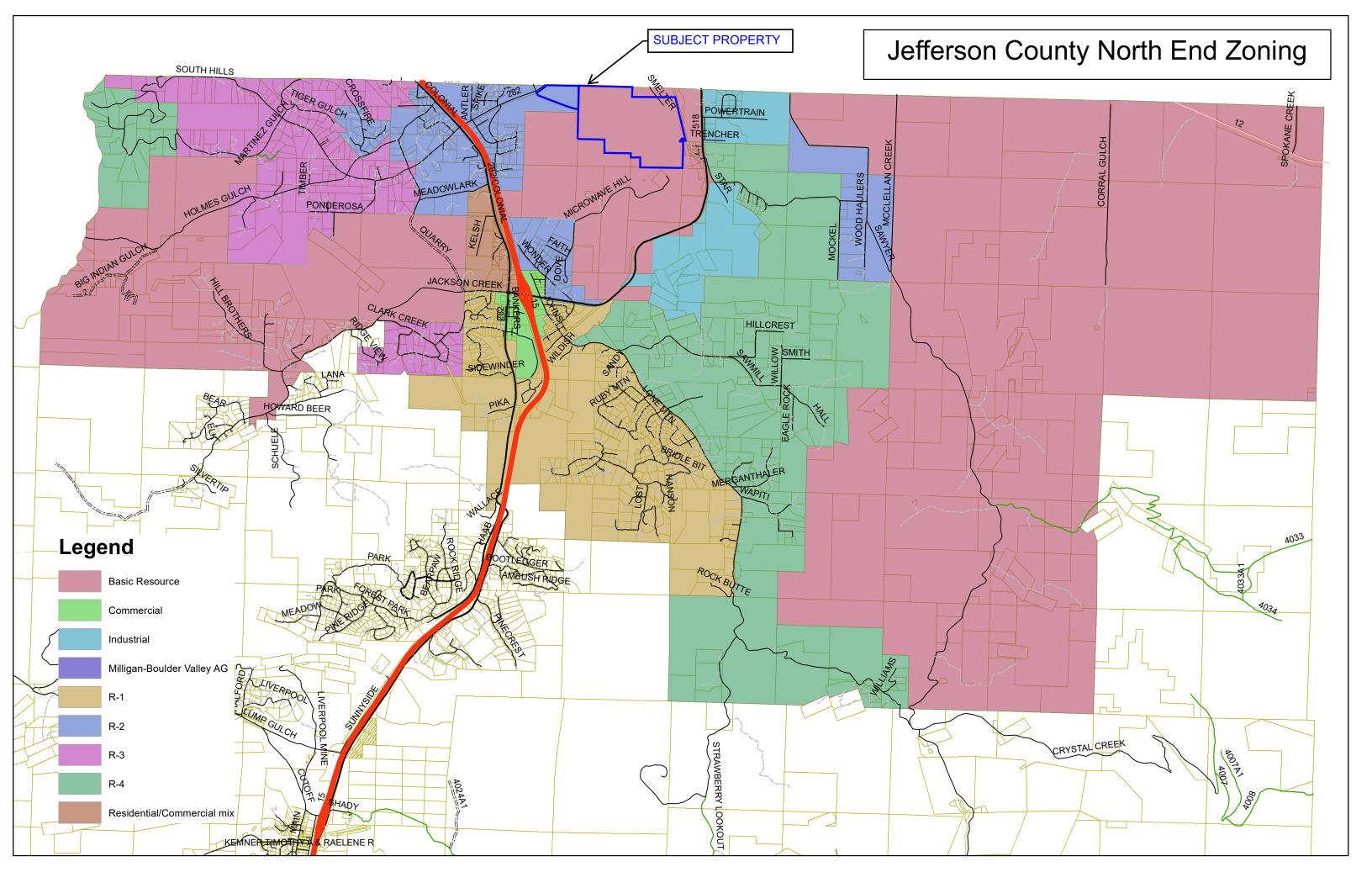
**b.** The purpose intent of the individual zoning classification proposed for amendment as found in these regulations. (See the purpose statement for appropriate zoning classification commercial or residential etc.)

The proposed amendment will allow for the well planned, attractive development of primarily single-family homes on varying lot sizes with potential, supportive commercial development. The proposed subdivision would provide roadways designed to current standards, to accommodate pedestrian and vehicular traffic, and emergency service vehicle access. New development needing a subdivision review process will provide adequate water and sewer systems, the new development would meet full compliance of DEQ and the current sanitation regulations.

### **ZONE AMENDMENT MAP**



### **EXISTING ZONE MAP**



### **PROPERTY INFORMATION**

**DEEDS** 

Please Return To:

Amos Rogers Little, III

40 West Lawrence, Suite A

P.O. Box 1166

Helena, MT 59624-1166

214461 Fee \$ 12.00 JEFFERSON COUNTY Recorded 02/11/2005 At 04:00 PM

BONNIE RAMEY, Clerk and Recorder
By Walk Deputy

18

#### WARRANTY DEED

DAYSPRING LAND COMPANY, a Montana corporation, c/o 5003 Canyon Ferry Road, East Helena, Montana 59635, hereinafter Grantor, in consideration of Ten Dollars and other valuable consideration (\$10.00/ovc), hereby grants, bargains, sells, conveys, warrants, demises and forever releases unto R&D PARTNERS, L.L.C., a Montana limited liability company, of110 Moonlight Ridge Road, Clancy, Montana 59634, hereinafter Grantee, and to Grantee's successors and assigns forever, all of Grantor's interest in and to all that real property located and situated in the County of Jefferson, State of Montana, more particularly described as follows:

#### Township 9 North, Range 3 West, P.M.M.

Section 1:

S½NW¼; N½SW¼; N½SE¼SW¼; South 875 feet of that part of the S½NE¼ lying westerly of the East Branch of Prickley Pear Creek; SE¼ lying westerly of the East Branch of Prickley Pear Creek, EXCEPTING THEREFROM that portion of the NE¼SE¼ and that portion of the South 875 feet of that part of the S½NE¾ lying easterly of the Great Northern Railroad right-of-way. (Ref: Deeds 126, p. 289, EXCEPTING THEREFROM a tract of land described by Certificate of Survey No. 169985, Folio 441D and conveyed by Deeds 133, p. 123.)

Section 2: Tract D-2 of Certificate of Survey No. 195748, Folio 578D.

#### Township 9 North, Range 2 West, P.M.M.

Section 6:

That part of the W ½ SW ¼ lying westerly of the East Branch of Prickley

Pear Creek. (Ref: Deeds 126, p. 289.)

Together with all tenements, hereditaments and appurtenances thereto, and reversions and remainders, and all rents, issues, and profits thereof, and all right, title and interest of the **Grantor** therein TO HAVE AND TO HOLD all and singular the said premises together with appurtenances unto **Grantee** and **Grantee**'s heirs, assigns and successors forever.

Grantor covenants Grantor will forever warrant and defend all right, title and interest in and to the said premises and the quiet and peaceable possession thereof unto Grantee, Grantee's successors and assigns, against all acts and deeds of Grantor, and all and every person and persons whomsoever lawfully claiming or to claim the same.

WARRANTY DEED

IN WITNESS WHEREOF, GRANTOR has executed this Warranty Deed on February // 11/2005.

	DAYSPRING LAND COMPANY	
п.,	Zenneth Diehl	Russ
Бу	Kenneth Diehl, President	

STATE OF MONTANA ) : ss.
County of Lewis & Clark )

On the \_\_\_\_\_\_\_ day of February 2005, before me, the undersigned, a Notary Public for the State of Montana, personally appeared Kenneth Diehl, known to me to be the person who signed the within Warranty Deed and acknowledged to me that he executed the same as the President of and on behalf of Dayspring Land Company.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year first above written.

SR. LITTILE NOTARIAL ISSEAL OF MOTHER

Printed Name Prints Reference Notary Public for the State of Montana.
Residing at Helena, Montana.
My Commission expires 1015/2005

214461 Fee \$ 12.00

JEFFERSON COUNTY

Recorded 02/11/2005 At 04:00 PM

BONNIE RAMEY, Clerk and Recorder

By //// Deputy

WARRANTY DEED

After Recording, Return To: Rocky Mountain Title Guaranty, LLC P.O. Box 268 Helena, MT 59624

File No: JX26216A

Grantee's Mailing Address: P.O. Box 850 Saint Paris, OH 43072

JEFFERSON COUNTY Recorded 3/2/2021 At 10:45 AM BONNIE RAMEY, Clerk and Recorder Deputy

> SUBJECT PROPERTY FOR ZONING AMENDMENT **CONSIDERATION**

#### **QUIT CLAIM DEED**

For Value Received, Mountain View Meadows, LLC, a Montana Limited Liability Company fka R and D Partners, LLC aka R&D Partners, LLC, the Grantor(s), do(es) hereby convey, release, remit and forever quit claim unto Mountain View Meadows, LLC, a Montana Limited Liability Company, the Grantee(s), the following described premises, in Jefferson County, Montana, to-wit:

#### **SEE EXHIBIT A**

Together with his/her/their appurtenances.

DATED: February 25, 2021

Mountain View Meadows, LLC, a Montana Limited Liability Company fka R and D Partners, LLC aka R&D Partners, LLC

By:

Mark L. Runkle, Member

STATE OF Montan, COUNTY OF Lewis and Oler County Of County Oler County Ole Mark L. Runkle known to me to be the Member of Mountain View Meadows, LLC, a Montana Limited Liability Company fka R and D Partners, LLC aka R&D Partners, LLC, is subscribed to the within instrument and acknowledged to me that he/she/they executed the same.

Notary Public for the

Residing at:

My Commission Expires:

NATHAN R. STROMAN NOTARY PUBLIC for the State of Montana Residing at East Helena, Montana My Commission Expires January 15, 2022

#### **EXHIBIT A**

Tract D2A-1 of Certificate of Survey Number <u>277532</u> Folio\<u>098-A</u>, located in the NE% of Section 2, Township 9 North, Range 3 West, P.M.M., Jefferson County, Montana.

277536 Fee \$14.00 Page 2 of 2

JEFFERSON COUNTY Recorded 3/2/2021 At 10:45 AM BONNIE RAMEY, Clerk and Recorder After Recording, Return To: Rocky Mountain Title Guaranty, LLC P.O. Box 268 Helena, MT 59624

File No: JX26216A

Grantee's Mailing Address: 55 Homestead Est Clancy, MT 59634



Recorded 3/2/2021 At 10:45 AM BONNIE RAMEY, Clerk and Recorder

Deputy

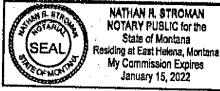
#### WARRANTY DEED

For Value Received, Mountain View Meadows, LLC, a Montana Limited Liability Company fka R and D Partners, LLC aka R&D Partners, LLC, the Grantor(s), do(es) hereby grant, bargain, sell, convey and confirm unto Brad Longcake and Kimberly Longcake, as joint tenants with right of survivorship, the Grantee(s), the following described premises, in Jefferson County, Montana, to-wit:

#### **SEE EXHIBIT A**

TO HAVE AND TO HOLD the said premises, with his/her/their appurtenances unto the said Grantee(s), his/her/their heirs and assigns forever, and the said Grantor(s) do hereby covenant to and with the said Grantee(s), that he/she/they is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances except all easements, assessments, taxes, agreements, restrictions and covenants of record or assessed against the above-described property; and that he/she/they will warrant and defend the same from all lawful claims whatsoever.

DATED: February 25, 2021



Mountain View Meadows, LLC, a Montana Limited Liability Company fka R and D Partners, LLC aka R&D Partners, LLC

By:

Mark I Runkle Member

STATE OF MONTAN COUNTY OF LEWIS AND CLIPK

On this 25<sup>1</sup> day of February, 2021, before me, a Notary Public in and for said State, personally appeared Mark L. Runkle known to me to be the Member of Mountain View Meadows, LLC, a Montana Limited Liability Company fka R and D Partners, LLC aka R&D Partners, LLC, is subscribed to the within instrument and acknowledged to me that he/she/they executed the same.

Notary Public for the State of:

Residing at:

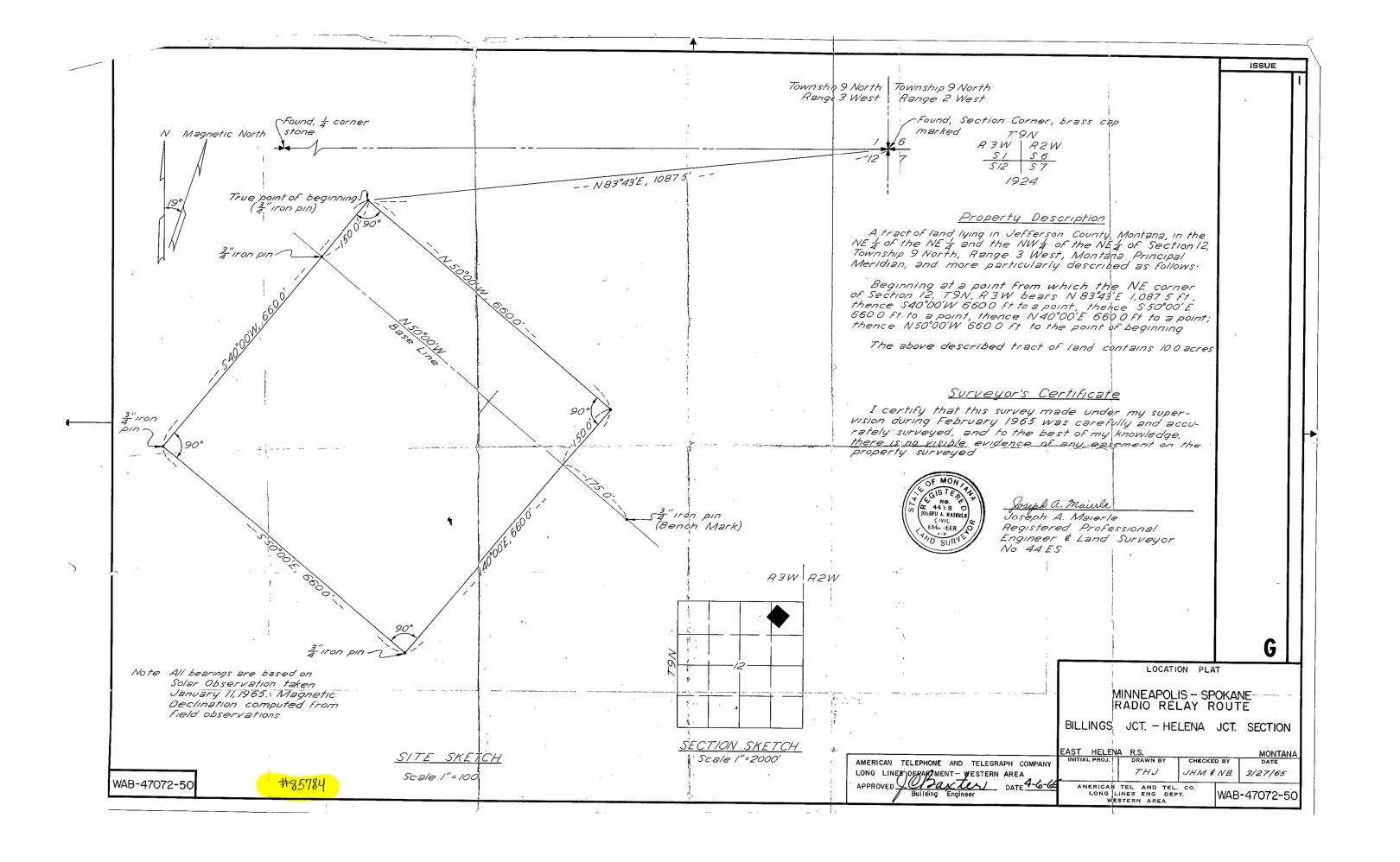
My Commission Expires:

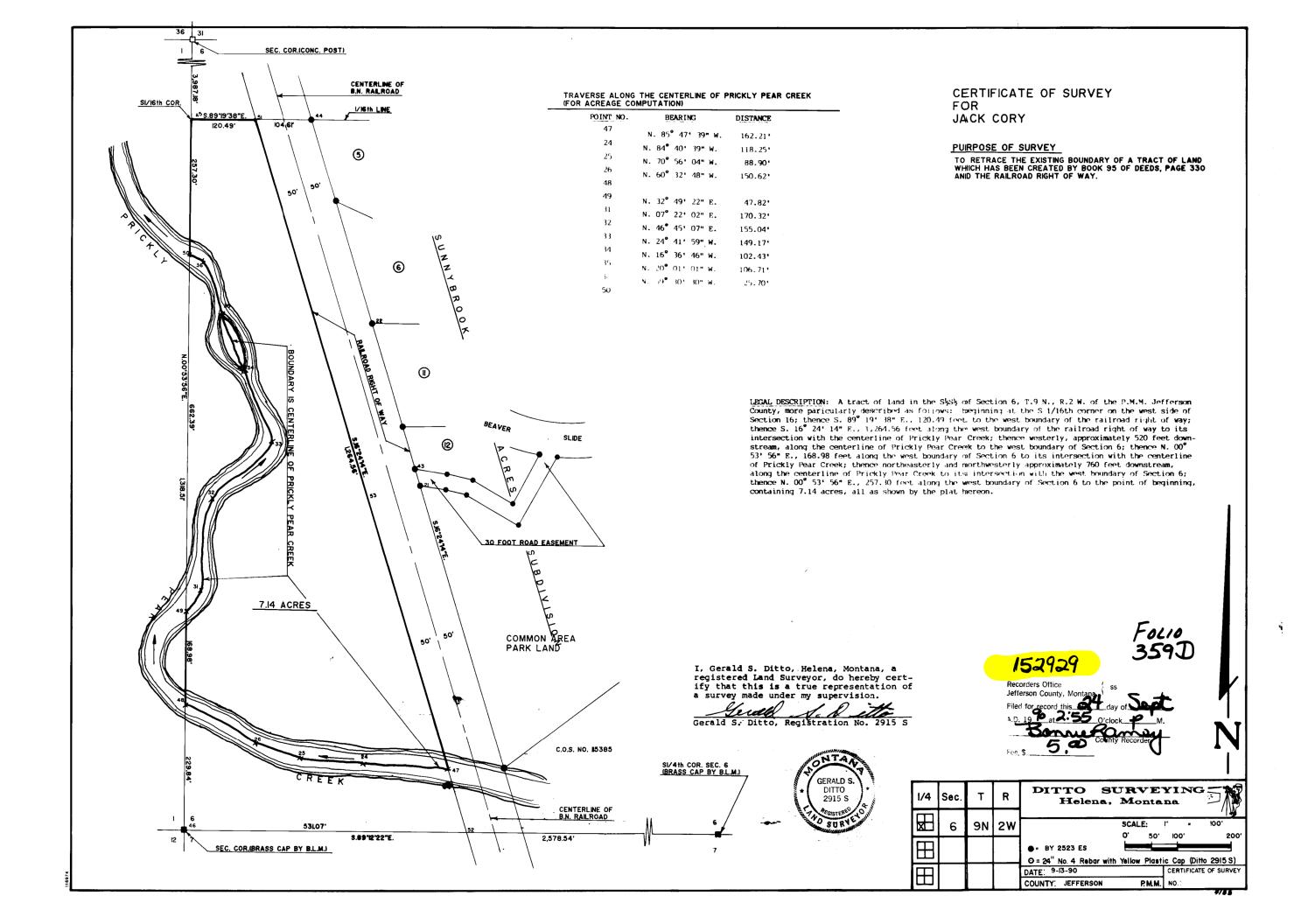
Lot 7-A of Certificate of Survey Number <u>277532</u>, Folio <u>CAR-A</u>, a parcel of land consisting of Lot 7 of Homestead Estates Subdivision, and a portion of Tract D2-A of Certificate of Survey Number 232068, Folio 790A, located in Section 2, Township 9 North, Range 3 West, P.M.M., Jefferson County, Montana.

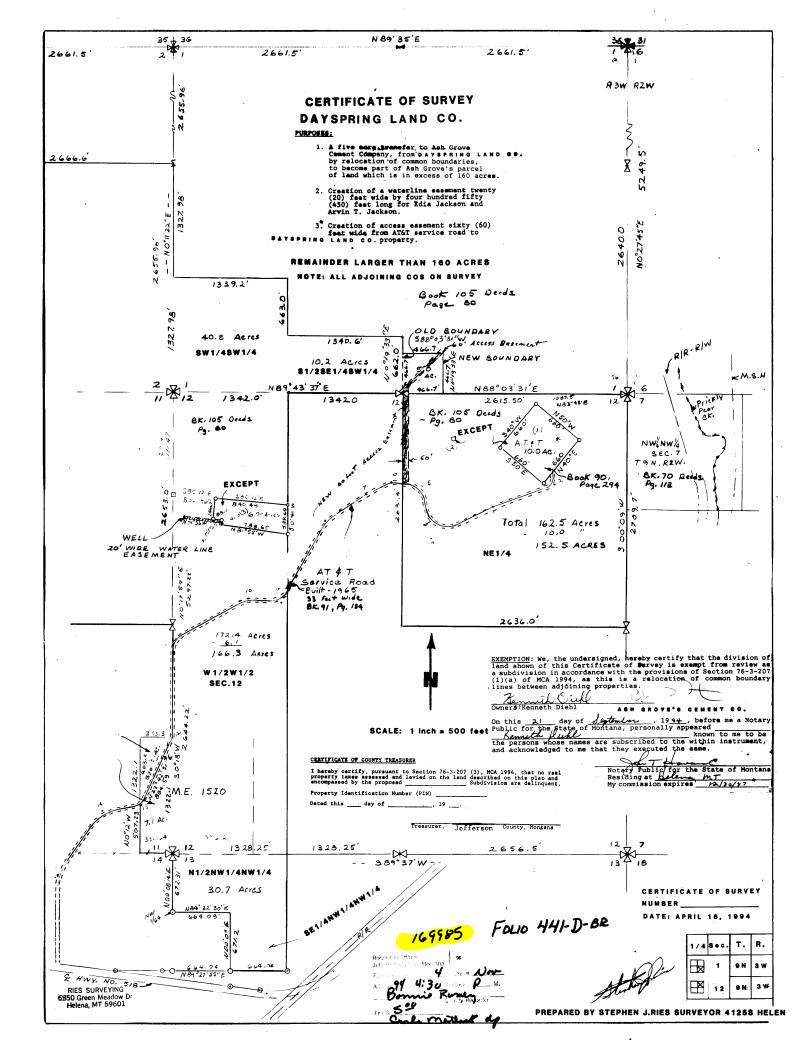
277537 Fee \$14.00 Page 2 of 2

JEFFERSON COUNTY Recorded 3/2/2021 At 10:45 AM BONNIE RAMEY, Clerk and Recorder

## PROPERTY INFORMATION CERTIFICATES OF SURVEY







N 89° 54' 00° W, 2578.62' Found GLO Brass capmarked as section corner 1259.631 1318.99 to Sections 6, 7, 1, and 12 per 1924 GLO field notes ~ Found GLO Brass cap marked as quarter corner to Sections 6 and 7 N 1/2 NW 1/4 NW 1/4 N 1/2 NE 1/4 NW 1/4 per 1924 GLO field notes -Found concrete R/W monument -Found 1/2" rebar with
1" YPC, set by 2915 S -Set a 5/8' rebar with a 3" aluminum cap marked C-N-N 1/64th of Section 7, Gorton-Mueller, 7686 S \_\_\_\_ S 89° 54′ 21′ E, 1265.49′ ---S 89° 54' 21' E, 1325.85' -Found 1/2" rebar with 1" YPC, set by 2915 S, S63°07′08'W, 2.47'. S 1/2 NW 1/4 NW 1/4 S 1/2 NE 1/4 NW 1/4  $/\triangle$  = 16° 53′ 00° Chord Bearing: S 4° 46' 00' W S 89° 54′ 41° E, 1271.34′ S 89° 54′ 41° E, 1332.72′ NE 1/4 PARCEL 2 32.398 ACRES ' ♣ \_\_\_\_\_S 0' 32' 36' E, 61.98' MOCKEL SUBDIVISION - S 83° 37' 12° E, 808.90'---Set 1' iron pipe with OPC \_marked Gorton, 7686 S. Found concrete R/W monument NEW BOUNDARY---SW 1/4 NW 1/4 SE 1/4 NW 1/4 5 Found rebar with 1 1/2" Found GLO Brass cap aluminum cap, marked as marked as center quarter quarter corner to Sections corner to Section 7 7 and 8, set by 2915S per 1924 GLO field notes □wner: American Smelting and Refining Company Found 1/2" rebar with 11 YPC, set by 2915 S --- N 89° 41′ 26° W, 1319.58′ ---N 89° 41′ 39° W, 1320.80′ ----Found GLO Brass capmarked as quarter corner ~~~~ S 89° 58′ 33° E, 1283.04′~~~~~~ S 89° 52′ 17° E, 1346.46′——— C. O. S. Doc. No. 139477∤₹ to Sections 7 and 12 per 1924 GLO field notes PARCEL City of East Helena Found GLO Brass cap -106.203\ ACRES marked as C-W 1/16th N 32° 36′ 12° E, 487,41′ corner to Section 7 per 1924 GLO field notes - N 35° 08′ 49° W, 472.13′ NE 1/4 SE 1/4 NW 1/4 SE 1/4 NE 1/4 SW 1/4 □wner≀ □wner: American Smelting and Refining Company | \* American Smelting and Refining Company William J. Foster Set 1' iron pipe with OPC marked Gorton, 7686 S. FORMER BOUNDARY N 0° 39' 35' W, 532.43' S 89° 47′ 41° E, 1347.79′ ——— S 89° 42′ 04° E, 1316.82′—— S 89° 42′ 04″ E, 1316.57′----Found GLO Brass cap -marked as SW 1/16th Found GLO Brass cap-Set a 5/8' rebar with a corner to Section 7 marked as C-S 1/16th 3' aluminum cap marked SE 1/16 S7 per 1924 GLO field notes corner to Section 7 m of Section 7, Gorton-Mueller, 7686 S ≥ per 1924 GLO field notes LDT 5 SW 1/4 SE 1/4 SE 1/4 SE 1/4 Dwner: Owner: □wner: Ash Grove Cement Company Ash Grove Cement Company William J. Foster Found original stone, a limestone ≥ Found original stone, a limestone with no markings, as quarter with a cap set by 2523ES alongside corner to Sections 7 and 18as corner to Section 7, 8, 17, 18. S 89° 40′ 55° E, 1312.35′ ----S 89\* 40' 55" E, 1312.35' ---Scale 1" = 300' \$ 89° 40' 55° E, 2624.70' CERTIFICATE OF SURVEYOR I, Virginia R. (Gorton) Mueller, a Licensed Land Surveyor in the State of Montana, License No. 7686 S, do hereby certify that in March and April of 2001, I surveyed and platted the same as shown on the accompanying map and as described in accordance with the provisions of the Montana Subdivision and Platting Act, Section 76-3-101 through 76-3-614, M. C. A. Virginia R. (Gorton) Mueller, LLS 7686 S Dick Johnson, Plant Director, Ash Grove Cement Company CERTIFICATE OF CLERK AND RECORDER State of Montana Filed on the 12 day of September, 2001, A.D., at 4:40 o'clock .M. CERTIFICATE OF COUNTY TREASURER I, the treasurer of Jefferson County, Montana, do hereby certify, pursuant to 76-3-207(3), M. C. A., that all real property taxes and special assessments assessed and levied on the land Bonne Famey described on this Certificate of Survey have been paid. personally appeared before me, and is known to be the person whose name is subscribed PINNO. 1 5 5011 + 7004 - 7656 PAIO THE all 2000 BOLLAY above, and has acknowledged to me that he has executed the same.

## CERTIFICATE OF SURVEY

A SURVEY OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER, THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER, THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER AND THE SOUTH HALF OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 7, TOWNSHIP 9 NORTH, RANGE 2 WEST,

PRINCIPAL MERIDIAN, MONTANA, JEFFERSON COUNTY, MONTANA for ASARCO, Inc. (formerly American Smelting and Refining Company, Inc.), and Ash Grove Cement Company

PURPOSE OF SURVEY

The purpose of this survey is to relocate the common boundary between ASARCO, inc. (formerly American Smelting and Refining Company, Inc.), and Ash Grove Cement Company. (M. C. A. 76-3-207.(1)(a)). Parcel 1 will become joined with the southwest querter of the southeast quarter of Section 7. Percel 2 will be retained by ASARCO, Inc. (formerly American Smelting and Refining Company, Inc.).

BASIS OF BEARINGS

The bearing of the north boundary of Section 7, from the northwest section corner to the north quarter comer, S. 89°54′ 00" E. (North 89°54′ 00" West), as shown on the supplemental G.L.O. map of Section 7, 1926, is the basis of bearings for this survey.

PREVIOUS SURVEYS

Parcel 1

Supplemental Plat of T. 9 N., R. 2 W., P. M. M., 1909 - Section 18

Amended Plat of T. 9 N., R. 2 W., P. M. M., 1924- Section 17, 18

Supplemental Plat of T. 9 N., R. 2 W., P. M. M., 1926,- Section 7

Certificate of Survey, Doc. No. 114949

Certificate of Survey, Doc. No. 139477

Certificate of Survey, Doc. No. 146423

Certificate of Survey, Doc. No. 165180

Certificate of Survey, Doc. No. 169291

Certificate of Survey, Doc. No. 177279

Certificate of Survey, Doc. No. 177279

Original Survey of the Township and Subdivision lines by B. F. Marsh, 1868

CERTIFICATES OF CONSENT AND EXEMPTION

We, the understaned, do hereby certify that we caused to be survey.

We, the undersigned, do hereby certify that we caused to be surveyed the following described parcels of land, to wit:

LEGAL DESCRIPTION:

A parcel of land located in the northwest quarter, the southwest quarter and the southeast quarter of Section 7, Township 9 North, Range 2 West, P. M. M., Jefferson County, State of Montana, further described as follows:

Beginning at the center-west 1/16th comer of Section 7, a GLO brass cap, the true point of beginning;

thence S. 0°43' 20" E., along the north-south 18th line, 1327.60' to the southwest 1/16th corner, a GLO brass cap;

thence S. 89°47' 41" E., along the east-west 16th line, 1347.79' to the center-south 1/16th corner, a GLO brass cap;

thence S. 89°42' 04" E., along the east-west 16th line, 1316.82' to the southeast 1/16th corner, a 5/8 inch rebar with a 3-inch aluminum cap marked SE 1/16 S 7, set by 7686S; thence N. 0°39'35" W., along the north-south 16th line, 532.43 feet to a one-inch fron pipe with a plastic cap marked 7686S on the property line of the City of East Helena, shown on

Certificate of Survey Document No. 139477; thence along said property line, N. 35°08' 49" W., 472.13 feet to a rebar with a yellow plastic cap marked 2915S;

thence along said property line, N. 32°36' 12" E., 487.41 feet to the center-east 1/16th corner, a 1/2-inch rebar with plastic cap marked 2915S;

thence N. 89°41' 26" W., along the east-west center of section line of Section 7, 1319.68 feet to the center quarter corner of Section 7, a GLO brass cap; thence N. 1°08' 11" W., along the north-south center of section line of Section 7, 404.76 feet

to a one-inch iron pipe with a plastic cap marked 7686S; thence N. 43°36' 41" W., 789.57 feet to a one-inch Iron pipe with a plastic cap marked 7686S; thence N. 83°37' 12" W., 808.90 feet to a one-inch Iron pipe with a plastic cap marked 7686S

on the north-south 16th line; thence S. 0°32' 34" E., 1063.27 feet along the north-south 16th line to the center-west 1/16th corner, a GLO brass cap, the true point of beginning. Containing 106.203 acres.

Parcel 2

A parcel of land located in the northwest quarter of Section 7, Township 9 North, Range 2 West, P. M. M., Jefferson County, State of Montana Further described as follows:

Beginning at the north quarter comer of said Section 7;

thence along the north-south center of section line, S. 1°08' 11 " E., 662.75 feet to the C-N-N 1/64th corner, a 5/8-inch rebar with 3" aluminum cap set by 7686S, the true point of beginning:

thence N. 89°54' 21" W., along the 64th line, 1245.84 feet to the easterly right-of-way line of Montana State Highway 518; thence along a curve concave to the west with  $\triangle = 16^{\circ}53'$  00", L=867.81', R=2945', and chord

bearing S. 4°46' 00" W., to a one-inch iron pipe with a plastic cap marked 7686S at the intersection of the easterly right-of-way line with the west sixteenth line; thence along the west sixteenth eron pipe with a

plastic cap marked 7686S;
thence S. 83°37' 12" E., 808.90 feet to a one-inch iron pipe with a plastic cap marked 7686S;
thence S. 43°36' 41" E., 789.57 feet to a one-inch iron pipe with a plastic cap marked 7686S;
thence S. 43°36' 41" E., 789.57 feet to a one-inch iron pipe with a plastic cap marked 7686S,

on the north-south center of section line; thence N. 1°08' 11" W., along the north-south center of section line, 1583.48 feet to the C-N-N 1/64th corner, the true point of beginning.

Containing 32.398 acres.

We, the undersigned, do hereby certify that the survey of the above described parcels of land have been performed to relocate common boundaries between adjoining properties, and no additional parcels are hereby created; therefore, this division of land is exempt from review as a subdivision - pursuant to Section 76-03-207.(1)(a), M. C. A.

We further certify that both Parcels 1 and 2 are greater than 20 acres in size; therefore, this division is exempt from review by the Department of Environmental Quality - pursuant to Section 76-4-103. M.C.A.

<u> 24</u>	day of	/ · / · / · · · · · · · · · · · · · · ·	
	A Committee of the second	Land Market Contract	
ning, Final npany, inc.	ncial Manager, A		ly American Smelting and
tana	•	,	
<u>, 5.,.,,,</u>	1.	<del>-</del>	
		_, 200,	
peared be	fore me. and is k	nown to be the perso	n whose name is subscribed
		t he has executed the	ileille to annacilnet
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Notary Public for the State	of Montana	······································	_
Residence	( · ·		
My commission expires			
Dated this	day of		

LOCATED IN GOVERNMENT LOTS 4, 5 & 6, SECTION 6 TOWNSHIP 9 NORTH, RANGE 2 WEST AND IN THE EAST HALF OF SECTION 1 TOWNSHIP 9 NORTH, RANGE 3 WEST P.M.M. LEWIS & CLARK COUNTY AND JEFFERSON COUNTY, MONTANA

## BOUNDARY DESCRIPTION OF PARCEL A

A tract of land located in government lots 4, 5 and 6 of Section 6, T.9N., R.2W., P.M.M. and in the E1/2NE1/4 and NE1/4SE1/4 of Section 1, T.9N., R.3W., P.M.M, Lewis and Clark County and Jefferson County, Montana, more particularly described as follows:

Beginning at the southeast corner of Certificate of Survey 388483 of the Lewis and Clark County records, a point on the west right-of-way line of State Highway 518 from which point the NW corner of said Section 6 bears N.37°14'07"W., a distance of 1130.55 feet, thence from said point of beginning along said west right-of-way line the following three (3) courses: \$.02°28'00"E., a distance of 437.24 feet to a concrete marker; thence S.89°01'49"E., a distance of 19.82 feet to a concrete monument; thence S.02°28'00"E., a distance of 2655.27 feet to a point on the south line of said government lot 6, Section 6; thence leaving said highway right-of-way and along the south line of said government lot 6, N.89°13'00"W., a distance of 678.62 feet to a point on the easterly right-of-way line of the Burlington Northern Railroad; thence along said easterly right-of-way line of the railroad, N.16°23'43"W., a distance of 941.27 feet to a point in the center of Prickly Pear Creek; thence, along the center of Prickly Pear Creek or the center of the most easterly branch of said creek the following sixteen (16) courses: N.63°16'08"E., 42.38 feet; N.26°49'20"E., 35.53 feet; N.01°40'00"W., 779.16 feet; N. 20°00'00"E., 204.31 feet; N.07°21'20"W., 252.31 feet; N.34°40'39"W., 34.52 feet; N.47'04"29"W., 50.36 feet; N.11°56'24"W., 62.43 feet; N.36°49'51"W., 315.77 feet; N.13°01'26"W., 35.46 feet; N.21°31'00"E., 119.79 feet; N.11°58'15"W., 76.02; N.21°54'26"W., 154.86 feet; N.04°14'30"E., 36.82 feet; N.41°38'03"W., 49.01 feet; and N.14°11'14"W., 108.78 feet to a 5/8 inch rebar at the southwest comer of sald Certificate of Survey 388483; thence along the south line of said Certificate of Survey, S.89°16'59"E., a distance of 1075.50 feet to the point of beginning. Said tract of land contains 60.741 acres along with and subject to any easements of record or implied.

# BOUNDARY DESCRIPTION OF PARCEL B

A tract of land located in government lot 6 of Section 6, T.9N., R.2W., P.M.M. and in the NE1/4SE1/4 of Section 1, T.9N., R.3W., P.M.M, Jefferson County, Montana, more particularly described as follows: Beginning at the south one sixteenth (S1/16) corner between said Section 1 and Section 6, T.9N., R2W., a 5/8 inch rebar with aluminum cap, thence along the south line of said NE1/4SE1/4, S.89°55'37"W., a distance of 138.80 feet to the center of Prickly Pear Creek; thence along the center of said creek the following eight (8) courses: N.03°48'51"E., 70.96 feet; N.44°03'35"E., 118.80 feet; S.48°36'08"E., 27.67 feet; S.11°29'31"E., 70.98 feet; S.89°26'50"E., 112.13 feet; N.20°46'32"W., 144.16 feet; N.39°57'57"W., 86.36 feet; and N.11°20'32"W., 538.82 feet to a point on the westerly right-of-way line of the Burlington Northern Railroad; thence along said right-of-way line, S.16°23'43"E., a distance of 831.77 feet to a point on the south line of said government lot 6; thence along said south line, N.89°13'00"W., a distance of 117.77 feet to the point of beginning. Said tract of land contains 0.889 acres along with and subject to any easements of record or implied.

## SURVEYORS NOTE

Upon reviewing the recorded survey plat of SunnyBrook Acres Subdivision, It was determined that the north line of the survey contained an error in its location. Prior deeds for this common boundary were to be the south line of government lot 6 of Section 6, deeded to the north owner as the north half of the south half of Section 6. On that survey the S1/16 corner between Sections 1 and 6 was not properly determined as was the 1/16 line as it is shown to the east side of Section 6. The proper positioning for the south line of government lot 6 can only be established by determining the C1/4 corner position and the C-S1/16 corner position of Section 6. Therefore, there is a 6.3 to 7.9 foot gap between the north line of SunnyBrook Acres as shown on the plat and marked on the ground. This discrepancy has been shown on this survey. I hereby certify that Parcels A & B are exempt

from DE a review in accordance with 76-3-103(17)(a) MCA. because they are existing percels that are a tract of record.

1. Stemmet North, PLS 52/05 4-15-05

OWNER OF TRACT

KLEFFNER RANCH TRUST

PURPOSE OF SURVEY

Boundary retracement of an two existing parcel.

CERTIFICATE OF EXAMINING SURVEYOR

Reviewed for errors and omissions this <u>/</u>グ day of <u>applied</u>, 200<u>5</u> Pursuant to Section 76-3-611(2)(a), MCA.

William T. Bernack, Reviewing Land Surveyor

3323.5

CERTIFICATE OF FILING BY CLERK & RECORDER

STATE OF MONTANA

COUNTY OF LEWIS AND CLARK

FILED FOR RECORD THIS .

COUNTY CLERK AND RECORDER LEWIS AND CLARK COUNTY, MONTANA

CERTIFICATE OF EXAMINING SURVEYOR

Reviewed for errors and omissions this  $\angle 5$ day of <u>APRIL</u>, 200 <u>5</u> Pursuapt to Section 76-3-611(2)(a), MCA.

MT REG. No. 2262-45

CERTIFICATE OF FILING BY CLERK & RECORDER

STATE OF MONTANA

215244

FOLIO 672-B

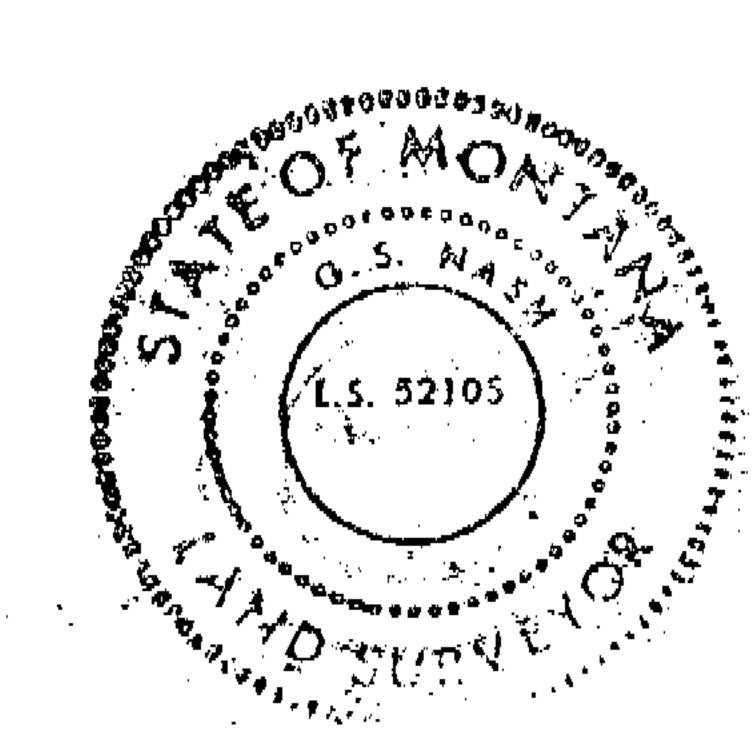
COUNTY OF JEFFERSON

FILED FOR RECORD THIS 8 day of PAPCI , 20 05

Bonne Romer COUNTY CLERK AND RECORDER JEFFERSON COUNTY, MONTANA 24 Cathy J. Du Bow, dep.


Located in GOVT LOTS 4, 5 & 6, SEC. 6, T. 9 N., R. 2 W., AND E 1/2 NE 1/4 & NE 1/4 SE 1/4 SEC.1 T. 9 N., R. 3 W. P.M.M LEWIS AND CLARK AND JEFFERSON COUNTIES

SEC. TWP. 2 W 9 N 3 W KLEFFNER RANCH TRUST



CERTIFICATE OF SURVEY SHEET 1 OF 2 Job 2005059

1275 MAPLE STREET, SUITE F



AMENDED PLAT 277532 AMENDING LOT 7 OF HOMESTEAD ESTATES SUBDIVISION, DOCUMENT NO. 97037; AND TRACT D2A, DOCUMENT NO. 232068, NOTES: <u>BASIS OF BEARING:</u> CONTROL POINT #1 (BASE) Spike Set DATE OF SURVEY: 11-19-2020 OWNERS OF RECORD: RECORDS, JEFFERSON COUNTY, MONTANA, LOCATED WITHIN THE NW 1/4 THE SW 1/4 AND THE NE 1/4 OF SECTION 2, MODIFIED STATE PLANE FROM "HERE" POSITION TRACT D2A: R&D PARTNERS, LLC. HOMESTEAD ESTATES SUBDIVISION, LOT 7: BRAD AND KIMBERLY LONGCAKE TOWNSHIP 9N., RANGE 3W., P.M.M., JEFFERSON COUNTY, MONTANA US STATE PLANE 1983 MONTANA 2500, NAD 1983, SURVEY COMMISSIONED BY: R&D PARTNERS, LLC. PURPOSE OF SURVEY: INTERNATIONAL FEET GROUND PROJECTION AT: TO RELOCATE THE COMMON BOUNDARY BETWEEN A SINGLE LOT IN A DETAIL A Land Descriptions: Lot 7-A: PLATTED SUBDIVISION AND ADJOINING LAND OUTSIDE THE PLATTED SUBDIVISION NORTH LATITUDE: 46"-34'-06.46730" A parcel of land consisting of Lot 7 of the Homestead Estates Subdivision, Doc. No. 97037, and a portion WEST LONGITUDE: 111°-56'-42.91642" of Tract D2—A, Doc. No. 232068, located within the NE ¼, SW ¼, and NW ¼ of Section 2, Township 9 North, Range 3 West, Principal Meridian Montana, Jefferson County, Montana; more particularly described as follows: ELLIPSOID HT: 4104.173 sft. VERTICAL DATUM: NAVD88 (GEOID18) West; thence N01°50'17"E a distance of 108.06 feet along the eastern boundary line of said Section 2, to the MERIDIAN CONVERGENCE ANGLE = - 01'-47'19.37" **Δ**=021°26'21" Point of Beginning; thence S01°50'17"W a distance of 108.06 feet along the eastern boundary of said Section to the Quarter Corner common to said Section 2 and Section 1; thence N88°25'21"W a distance of 2663.59 BENEFIT OF LOT 7-A CREATED AS A PART CHD LGTH=49.49'thence S02°07'57"W a distance of 662.51 feet along the north—south midsection line of said Section 2 to the Center North South Sixty—Fourth Corner of said Section 2; thence S02°07'57"W a distance of 380.79 feet along said north—south midsection line to the northeast corner of Lot 6 of the Homestead Estates Subdivision; thence N88'22'25"W a distance of 334.33 feet along the northern boundary line to the northwest corner of said Lot 6; thence NO2'07'57"E a distance of 380.79 feet along the western boundary of Lot 7 of the Homestead Estates Subdivision to the northern boundary line of the Homestead Estates 2"AC 4125S RIES S88°22'57"E 1613.28'(M) 1613.39' (R2) Subdivision; thence N88°22'25"W a distance of 1013.70' along the North-South 1/64 line to the Center North South-West Sixty-Fourth corner of said Section 2; thence NO4'22'09"E a distance of 823.73 feet to a point on the southern right—of—way line of Highway 282; thence through the following three (3) courses along said southern right—of—way line: (1) with a curve turning to the right having a 7590.00 foot radius, an arc 176.39'(M) 176.61'(R2) length of 1012.23 feet, whose chord bears N67°23'45"E a distance of 1011.48 feet; (2) N71°13'05"E a distance of 738.00 feet; (3) with a curve turning to the left having a radius 1960.00 feet, an arc length of 293.40 feet, whose chord bears N67°04'54"E a distance of 292.67 feet; thence, leaving the said southern right-of-way line, S27'52'30"E a distance of 66.29 feet; thence with a curve turning to the left having a radius of 315.00 feet, an arc length of 205.06 feet, whose chord bears S46°31'27"E a distance of 201.45 feet; thence S65'10'23"E a distance of 658.08 feet; thence S65'49'43"E a distance of 621.78 feet; thence  $\Delta = 012°51'45"$ S68°34°30"E a distance of 207.00 feet; thence with a curve turning to the left having a radius of 903.00 feet, an arc length of 250.40 feet, whose chord bears S76°31'08"E a distance of 249.60 feet; thence CHD BRNG=N56°14'58"E S84°27'47"E a distance of 212.56 feet; thence S75°43'19"E a distance of 87.18 feet to the Point of CHD LGTH=439.09'Beginning; Containing 68.058 Acres, more or less, along with and subject to any existing easements and <u>Land Description: Lot D2A-1</u> TRACT D2A-141.502 ACRES A tract of land being a portion of Tract D2A, Doc. No. 232068, located within the NE ¼ of Section 2, Township 9 North, Range 3 West, Principal Meridian Montana, Jefferson County, Montana; more particularly NEW BOUNDARY-Commencing at the Quarter Corner common to Section 1 and Section 2, Township 9 North, Range 3 West; thence N01°50'17"E a distance of 108.06 feet along the eastern boundary line of said Section 2, to the CHD BRNG=N67°04'54"E Point of Beginning; thence N75'43'19"W a distance of 87.18 feet, thence N84'27'47"W a distance of 212.56 CHD LGTH=292.67' feet; thence with a curve turning to the right having a radius of 903.00 feet, an arc length of 250.40 feet, whose chord bears N76°31'08"W a distance of 249.60 feet; thence N68'34'30"W a distance of 207.00 feet; thence N65°49'43"W a distance of 621.78 feet; thence N65°10'23"W a distance of 658.08 feet; thence with CHD BRNG=S46°31'27"E a curve turning to the right having a radius of 315.00 feet, an arc length of 205.06 feet, whose chord S27°52'30"E 66.29'(M)— CHD LGTH = 201.45' $\Delta = 015°53'17'$ bears N46°31′27"W a distance of 201.45 feet; thence N27°52′30"W a distance of 66.29 feet to a point on L=250.40'(M)the southern right—of—way line of Highway 282; thence along said southern right—of—way with a curve turning to the left having a radius of 1960.00 feet, an arch length of 440.01 feet, whose chord bears N56°14'58"E a distance of 439.09 feet; thence N49°40'54"E a distance of 176.39 feet along said southern right—of—way; thence leaving said southern right—of—way line S88'22'57"E a distance of 1613.28 feet to the North Sixteenth Corner of said Section 2; thence S01'50'17"W a distance of 1217.10 feet along the eastern boundary line of said Section 2 to the Point of Beginning; Containing 41.502 Acres, more or less, along with and subject to any existing easements and encumbrances. --- CENTER 1/4 2"AC 4125S RIES CERTIFICATE OF EXEMPTION FROM D.E.Q REVIEW N88°25'21"W 2663.59'(M) 2663.49' (R2) (R3) \ -HOMESTEAD ESTATES ROAD Lot 7—A and Tract D2A—1 are both greater than 20 Acres, therefore they are exempt from review per LOT 7-A68.058 ACRES (RELOCATION OF COMMON BOUNDARY) We certify that the purpose of this survey is to relocate common boundaries between adjoining properties. Therefore this survey is exempt from review as a subdivision pursuant to Section 76-3-207(1)(e), MCA. -C-N-SW 1/64 CORNER BOUNDARY BEING-BEARS 8.21' S21'28'36"W FROM TRUE CORNER N88°22'25"W 1348.03'(M) 1348.48'(R2)(R3) \

FOR: MYRTLE MARCINKOWSKI

(BOOK OF DEEDS 95 -PAGE 275 ALSO BOOK 217- PAGE 367).

			]
FOSTER	171		
ED. 7.PIN- N 90°00'E	36	<u> </u>	
SEC. 1- 1/4 CORI 340.14		LEGAL DESCRIPTIONS	
	$\frac{1}{1}$	RETRACE TENT SURVEY	
4 82.765 32.765 3.7.265 3.7	MOCKEL  70'  70'  75'E-1476.86'	A tract of land in the NE% of Section 1, Township 9 North, Range 3 West, Lewis and Clark County, P.M. Montana; more particularly described as follows: Beginning at the North quarter corner for Section 1, which is the true point of beginning:  thence N 90°00' E, 340.14 feet along the North section line; thence S 00°02'22" E, 664.05 feet along Mockel property; thence N 39°49'51" E, 1440.40 feet along Mockel property to the railroad west right-of-way; thence S 16°27'39" E, 697.29 feet along the railroad west R/W to the County line; thence N 39°58'26" W, 1968.38 feet along the County line to the North-South mid-section line thence N 00°26'24" W, 1327.65 feet along the mid-section line to the North quarter corner, Which is the true point of beginning.  The tract contains 33.767 acres, more or less.  PROVIDE SECURITY FOR TRUST INDENTURE	'; .ne;
	440.40'	Boginning at the Southwest corner of the existing tract, which is the true point of beginning:	
SCALE: 0 13  1" = 200' 0 EXISTING ACCESS T	56.277.27	thence N 00°26'24" W, 845.15 feet; thence S 89°59'52" E, 336.71 feet; thence S 00°02'22" E, 181.55 feet; thence N 69°49'51" E, 1440.40 feet; thence S 16°27'39" E, 697.29 feet; thence N 89°58'26" W, 1968.38 feet to the true point of beginning. The tract contains 30.0 acres, more or less.  BASIS OF BEARING: North Section Line between Sections 1 and 36.	
DIEW BANGH		IXPIPTION: 76-3-201 (2) Division of land created to provide security for trust indenture.	
DIEHL RANCH  35'X 53'  HOUSE  LEWIS & CLARK CO. , V. ZAY 50' CARACE -	N89°58'26"W - 1968.38'	Tipile Marcinkansli	-
Ş.	37'1' 2004.91'	RIR-RIW On this 19 day of Jan in the year 1995),	
JEFFERSON CO.	E (BK-103-PG. 534)	before me, where the personally personally (name and title of officer taking acknowledgement appeared afore me to	•
9.5.4	<b>\</b>	be the person whose mane is subscribed to the within instru-	ı <del>-</del> ,
4		ment, and acknowledged to me that he executed the same.	
	State of Hontana County of Lowis & Clark T, Stephen J. Ries, Helena, Montana, do solomnly swear that I have made of Section I, Township 9 North, Range 3 West, Lowis and Clark County, M date of survey was January 14, 1993.  Registration No. 4125 S  Reviewing Land Surveyor Reviewing Land Surveyor	Notary Public for the State of Montana Residing at	3 a
·	Mont. Reg. No. 235.45  Mont. Reg. No. 235.45  Reviewed and rection 73-9-911, MCA		
	Date 4-2-93	County Treasurer  1/4 Sec T.	R.
	property taxes ass	proposedSubdivision are delinquent.	34
496031/7		certificate of Surv	
MM MARRIS TREAS / GLK	Dated this d	Number	
LEWIS & CLARK CO., MONT.		D. La: 1an 14 199	) <b>2</b>

1993 JAN 19 PM 12: 41

Treasurer, Levis and Clark County, Montana

Date: Jan. 14, 1993

JOB NO. 694101-4

6698

SHEET 1 OF 1

CERTIFICATE OF SURVEY NO.

PAULETTE DEHART CIK & BEE ETVIS & CLARK CO CERTIFICATE OF SURVEY 00 DEC 21 PM 3: 46 RADIAL= N 89'46'50"W BOOK M\_\_\_\_PAGE\_ PURPOSE: RETRACEMENT SURVEY BOOK 116, PAGE 401 FOR: DAY SPRING LAND COMPANY 89'54'52"\ 130.93'— SECTION CORNER, FND. 5/8" WAYNE MILLER PROPERTY REBAR (HANSON-2533ES) TION, RSW SEC. 35 N 89'54'52"W 2650.97 TON, R3W N 89'54'52"W 2359.95' SEC. 2 1/4 CORNER, FND. 1 1/2" R=905.00' ALUMINUM CAP (RIES-4126LS). A=87.80 S. S. SEE CORNER RECORDATION TRACT SECTION CORNER, FND. 1 1/2" BK. 116, PG. 401 ALUMINUM CAP (RIES-4126LS), 109.83 ACRES SEE CORNER RECORDATION (REMAINDER) TRACT B 26.68 ACRES (REMAINDER) -NW 1/16 CORNER COUNTY LINE \_\_ C-N 1/16 CORNER COUNTY LINE = NORTH 1/16 LINE N 1/16 CORNER-N 89'43'43"W 1135.63' 202.81 893.86 N 89'43'43"W 1613.39' LEWIS & CLARK CO. SUMMERS\ MINOR SUBDIVISION -/FOLIO 517-A S 89'43'43"E S 89"43"43"E BIG SKY ACRES JEFFERSON COUNTY TRACT D1, C.O.S. NO. 19. ' ray SUBDIMISION TRACT D2, C.O.S. NO. \_ LOT 5 TRACT D, C.O.S. NO. 175857, FOLIO 474-B BLOCK 2 TRACT D, C.O.S. NO. 175857, FOLIO 474-B LEGAL DESCRIPTION: TRACT A A TRACT OF LAND LOCATED IN THE N1/2 OF SECTION 2, TOWNSHIP 9 NORTH, RANGE 3 WEST, P.M. MONTANA, LEWIS AND CERTIFICATE OF EXAMINING LAND SURVEYOR CLARK COUNTY; MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF SECTION 2: THENCE S 89"54'52"E, 5010.92 FEET ALONG THE NORTH LINE OF SECTION 2; THENCE ALONG A 905.00 FOOT RADIUS NONTANGENT CURVE TO THE RIGHT, HAVING A RADIAL BEARING OUT N 47"06'25"W, AN ARC LENGTH OF 87.80 FEET ALONG THE NORTHWESTERLY RIGHT-OF-WAY LIMIT OF MT. STATE HWY. NO. 282; PURSUANT TO SECTION 76-3-611(2)(A), MCA. THENCE S 48'26'30"W, 1899.21 FEET ALONG SAID LINE; THENCE N 89'43'43"W, 2232.30 FEET ALONG THE NORTH 1/16 LINE TO THE NORTHWEST 1/16 CORNER OF SECTION 2; 3 Lan LEGEND THENCE N 44'29'11"W, 1847.63 FEET TO THE POINT OF BEGINNING. THE TRACT CONTAINS 109.83 ACRES, MORE OR LESS AND IS SUBJECT TO ALL EXISTING EASEMENTS, EASEMENTS SHOWN EXAMINING LAND SURVEYOR O ● SET 5/8" REBAR W/Y.P.C. (RIES-41255) ON PLAT, AND DOCUMENTS OF RECORD. REG. NO. 996Z-L.5 O FND. 5/8" REBAR W/Y.P.C. (RIES-4125S) □ FND. CONCRETE R/W MONUMENT LEGAL DESCRIPTION: TRACT B O FND. 5/8" REBAR W/ALUMINUM CAP (RIES-41265) A TRACT OF LAND LOCATED IN THE N1/2 OF SECTION 2, TOWNSHIP 9 NORTH, RANGE 3 WEST, P.M. MONTANA, LEWIS AND CLARK COUNTY; MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF SECTION 2; CERTIFICATE OF SURVEYOR THENCE S 00'30'04"E, 1329.19 FEET ALONG THE EAST LINE OF SECTION 2; THENCE N 89'43'43"W, 1613.39 FEET ALONG THE NORTH 1/16 LINE OF SECTION 2; THENCE N 48'26'30"E, 1787.46 FEET ALONG THE SOUTHEASTERLY RIGHT-OF-WAY LIMIT OF MT. STATE HWY. NO. 282: THENCE ALONG A 1005.00 FOOT RADIUS NONTANGENT CURVE TO THE LEFT, HAVING A RADIAL BEARING OUT N 41'32'55"W, AN ARC LENGTH OF 186.59 FEET ALONG SAID LINE: THENCE S 89'54'52"E, 160.09 FEET ALONG THE NORTH LINE OF SECTION 2 TO THE POINT OF BEGINNING. THE TRACT CONTAINS 26.68 ACRES, MORE OR LESS AND IS SUBJECT TO ALL EXISTING EASEMENTS, EASEMENTS SHOWN 4125L4 2 9N 3W ON PLAT, AND DOCUMENTS OF RECORD. BASIS OF BEARINGS P.M. MONTANA. C.O.S. NO. 175857, FOLIO 474-8 (STEPHEN J. RIES - 4125LS). LEWIS & CLARK CO. STEPHEN J. RIES P.L.S. (4125LS) PROFESSIONAL LAND SURVEYOR DATE: DATE: DECEMBER 22, 2000 PREPARED BY RIES SURVEYING GRAPHIC SCALE - FEET 6850 GREEN MEADOW DR. DRAFTED BY: CJR

HELENA, MT 59602